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Letter dated 14 March 2007 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General

I have the honour to forward to you a copy of the concept paper for the Security Council open debate on the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security. The Security Council open debate is to be held on 28 March 2007.

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Annex to the letter dated 14 March 2007 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General

Concept paper on the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security

On 28 March 2007, the South African delegation will launch a thematic debate in the Security Council exploring the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security.

Objective

1. The recent Summit of the African Union meeting in Addis Ababa recalled that "the maintenance of international peace and security is the primary responsibility of the United Nations Security Council and called upon the United Nations to examine, within the context of Chapter VIII of the United Nations Charter, the possibility of funding, through assessed contributions, peacekeeping operations undertaken by African Union or under its authority and with the consent of the United Nations".

2. The South African delegation will use its presidency to launch a discussion of the unique role the Security Council could play in the relationship between the United Nations and the African Union in the maintenance of international peace and security. The aim would be to develop a framework for further engagement in this regard.

Background

3. On 9 December 1994, the General Assembly adopted the Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security. (Resolution 49/57).

4. In April 2003, the Security Council held a meeting on "The Security Council and regional organizations: facing the new challenges to international peace and security".

5. During 2004 the Security Council recognized the importance of the cooperation with regional organizations, where appropriate, in two presidential statements: S/PRST/2004/27 and S/PRST/2004/44.

6. On 20 July 2004, the Security Council met to consider "Cooperation between the United Nations and regional organizations in stabilization processes". Members recalled that Articles 52 and 53 of the Charter of the United Nations set forth the contribution of regional organizations to the settlement of disputes, as well as the relationship between the United Nations and regional organizations. (S/PRST/2004/27).

7. On 19 November 2004, the Security Council meeting in Nairobi addressed the institutional relationship between the United Nations and the African Union, including the collective efforts to resolve African conflicts and to promote sustainable peace, development, and stability. (S/PRST/2004/44).

8. The Security Council has welcomed the Constitutive Act of the African Union, welcomed the establishment of the African Union Peace and Security Council and expressed its support for an early ratification of the Peace and Security Protocol by all African States and the establishment of an African Standby Force and an early warning system in Africa. The completion of these efforts would allow for better coordination of regional mechanisms to foster peace and security, sustainable development and the eradication of poverty in Africa, as set forth in the New Partnership for Africa's Development (NEPAD). (S/PRST/2004/44).

9. The Security Council recognized the importance of strengthening cooperation with the African Union in order to help build its capacity to deal with collective security challenges, including through the African Union's undertaking of rapid and appropriate responses to emerging crisis situations, and the development of effective strategies for conflict prevention, peacekeeping and peacebuilding. (S/PRST/2004/44).

10 The Security Council particularly welcomed the leading role of the African Union in efforts to settle crises in the African continent and expressed its full support for the peace initiatives conducted by the African Union, and through subregional organizations such as the Economic Community of West African States (ECOWAS), Southern African Development Community (SADC), Economic and Monetary Community of Central Africa (CEMAC), Intergovernmental Authority on Development (IGAD) and other regional agreements committed to the peaceful settlement of disputes in Africa. The Security Council underlined the importance of being kept fully informed, consistent with Article 54 of the Charter of the United Nations. (S/PRST/2004/44).

11. The Security Council welcomed the strengthening of practical cooperation between the United Nations and the African Union, as demonstrated in the case of the African Mission in Sudan (AMIS II) and the African Mission in Burundi (AMIB), to support and enhance the management and operational capacities of the African Union in the field of peacekeeping and peacebuilding. (S/PRST/2004/44).

12. The Security Council further invited the Secretary-General to explore, in close consultation with the Chairperson of the African Union Commission, new means of cooperation between the United Nations and the African Union, especially taking into consideration the expanded mandate and the new organs of the African Union. (S/PRST/2004/44).

13. The World Summit Outcome has also recognized the important contribution of regional organizations to international peace and security and the importance of forging predictable partnerships and arrangements between the United Nations and regional organizations and, in this regard, supported the development and implementation of a 10-year plan for capacity-building with the African Union.

Underlying motivation

14. The current peace and security challenges addressed by the African Union have raised new questions regarding the relationship between the United Nations and regional organizations, in particular the African Union. Central among them is arriving at an understanding on how to strengthen the relationship between the Security Council, as an organ bestowed with the primary responsibility for the maintenance of international peace and security, and regional organizations, particularly the African Union Peace and Security Council.

15. Regional organizations play an important role in the maintenance of international peace and security, as provided for in Chapter VIII of the Charter of the United Nations. Forging close and predictable relationships and arrangements between regional organizations and the United Nations, is important in enhancing international peace and security. There are obvious advantages in the interventions of regional groups, such as proximity to the areas of conflicts.

16. The African Union initiated its own missions in Burundi, Darfur and recently in Somalia. In some cases subregional organizations such as ECOWAS also played a leading role in the resolution of conflicts. In the case of Burundi the African Union intervened at a time when it was not possible for the United Nations to deploy a peacekeeping mission.

17. It has also been experienced that United Nations interventions have sometimes taken a longer time to operationalize even after they have been authorized by the Security Council.

18. Beyond the deployment of peacekeeping forces the African Union has also led several peacemaking and mediation efforts in the continent such as those in Côte d'Ivoire and Uganda.

19. All these are efforts aimed directly at the maintenance of international peace and security.

20. A dynamic interaction between the United Nations and the African Union has also been evident as some of the decisions of the African Union in this respect have been taken into account in the work of the Security Council.

21. Further action by the African Union has, however, been hampered by lack of resources as has been evident most recently in the case of Darfur.

22. When the African Union deploys its troops into a conflict area, it does so in the maintenance of international peace and security. The central challenge for the Security Council is how to meet its responsibility and obligation in such cases.

The challenge for collective security

- How far should the Security Council go in recognizing the decisions taken by regional groups that are complementary to its work?
- What is the scope for the Security Council to incorporate outcomes of bodies such as the African Union Peace and Security Council in its own decisions?
- How can the United Nations strengthen its support to regional organizations such as the African Union in the maintenance of international peace and security and what does this mean in practical terms?
- Is there scope for the further and more direct resources support by the United Nations to regional organizations?
- What other forms of direct partnerships are possible between the United Nations and regional organizations?
- How have previous Security Council decisions and recommendations in this area been implemented? What have been the challenges and constraints with implementation and how can these be overcome?